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8 IN THE UNITED STATES DISTRICT COURT
9
EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

CASE NO. 1:20-CR-00174 NODJ-BAM

12 Plaintiff,

STIPULATION TO CONTINUE CHANGE OF
13 v.
14 FRANCISCO VEGA-GUZMAN,
15
16 Defendant.

17 Plaintiff, the United States, by and through its counsel of record, and the defendants, by and
18 through their counsel of record, hereby stipulate as follows:

- 19 1. By previous order, this case was set for a change of plea hearing on July 15, 2024.
- 20 2. The defendant, Francisco Vega-Guzman, request that the Court continue the change of
plea hearing to July 17, 2024. The defendant moves to exclude time from July 15, 2024, through July
22 17, 2024, inclusive, under 18 U.S.C. § 3161(h)(7)(A) and B(iv).
- 23 3. The parties stipulate and request that the Court make the following findings:
 - 24 a) The government has produced discovery to defense counsel and made other items
available for inspection and copying.
 - 25 b) The Court is unavailable to conduct the change of plea hearing on July 15, 2024.
 - 26 c) Additionally, defense counsel desires additional time to prepare for the change of
28 plea hearing and prepare for sentencing.

1 d) Defense counsel believes that failure to grant the above-requested continuance
2 will deny them necessary and reasonable time for effective preparation.

3 e) Based on the above findings, the ends of justice served by continuing the trial as
4 requested outweigh the interest of the public and the defendant in a trial within the original date
5 prescribed by the Speedy Trial Act.

6 4. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq.,
7 within which trial must commence, the period of July 15, 2024, through July 17, 2024, inclusive, is
8 deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A) and B(iv) because it results from a
9 continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends
10 of justice served by taking such action outweigh the best interest of the public and the defendant in a
11 speedy trial.

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13
14 Dated: June 28, 2024

PHILLIP A. TALBERT
United States Attorney

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16 /s/ *Antonio J. Pataca*
17 ANTONIO J. PATACA
18 Assistant United States Attorney

19 Dated: June 28, 2024

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21 /s/ *Daniel Harralson*
22 Attorney for Defendant Francisco Vega-Guzman

ORDER

IT IS SO ORDERED that the change of plea hearing is continue from July 15, 2024 to **July 17, 2024, at 8:30 a.m. in Courtroom 5 before the District Court Judge.** Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A) and B(iv).

IT IS SO ORDERED.

Dated: July 1, 2024

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE